

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE:

TONY TERRELL DAVIS
571 CHANCE AVE
LEWISBURG, TN 37091
SSN: XXX-XX-2858
Debtor,

Case No. 15-02969
Judge Mashburn
Chapter 13

OBJECTION TO CONFIRMATION

COMES NOW, BAYVIEW LOAN SERVICING, LLC, hereafter referred to as “Creditor” and for its Objection to Confirmation would show the Court the following:

1. Creditor holds two secured claims against the Debtor’s estate as follows: (a) for a continuing monthly mortgage payment and (b) for the arrearage due through the date of filing representing mortgage installments which are delinquent and is reflected in the proof of claim that is to be filed. The claims are held against the Debtor’s principle residence located at 511 Chance Ave., Lewisburg, TN 37091.
2. The Debtor’s plan states that he has ½ interest in the subject realty.
3. The Debtor has no obligation to pay the debt, he is not a co-borrower and he has no interest in the secure property.
4. Creditor asserts that the plan is not feasible and not confirmable under 11 U.S.C. §1325(a)(6).
5. Creditor asserts that the plan is not offered in good faith as required by 11 U.S.C. §1325(a)(3) and it is Creditor’s belief that the said plan is offered to merely hinder, delay, and avoid a debt which is rightfully due and owing.
6. Creditor asserts confirmation should be denied pursuant to the Code.

WHEREFORE, PREMISES CONSIDERED, Creditor would pray that confirmation be denied based on all of the above, and that the Court enter an Order denying confirmation, that the costs and expenses incurred by the Creditor in this matter be paid by Debtor, and for all other relief the Court deems just.

Respectfully submitted,

LAW OFFICES OF J. PHILLIP JONES

/s/ Jessica D. Binkley
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Certificate of Service

I, Jessica D. Binkley, on JUNE 1, 2015, hereby certify that a true and accurate copy of the foregoing Objection has been mailed, postage prepaid, or via ECF as indicated to: Tony Terrell Davis, 571 Chance Ave, Lewisburg, TN 37091; and via ECF to: J. Robert Harlan, Debtor's Attorney, and Henry Edward Hildebrand, III, Chapter 13 Trustee

/s/ Jessica D. Binkley
Jessica D. Binkley